

FILED
 UNITED STATES DISTRICT COURT
 DISTRICT OF MASSACHUSETTS

2004 MAY 21 A 11:36

RECEIPT #
 AMOUNT \$ 150
 SUMMONS ISSUED N/A
 LOCAL RULE 4.1
 WAIVER FORM
 MCF ISSUED
 BY DPTY. CLERK
 DATE 5-21-04

JEANNE DEGAN,

Plaintiff,

v.

GOLDWELL OF NEW ENGLAND,
 INC.,

Defendant.

U.S. DISTRICT COURT
 DISTRICT OF MASS.

CIVIL ACTION NO.

Jonathan R. Sigel
 BBO# 559850

04cv11024 RWZ

NOTICE OF REMOVAL OF CIVIL ACTION
 FROM STATE COURT TO THE UNITED STATES DISTRICT COURT

Defendant Goldwell of New England, Inc., through its undersigned attorneys, hereby files this Notice of Removal, pursuant to 28 U.S.C. §§ 1441 and 1446, to remove the above-captioned Action, now pending in the Middlesex Superior Court, Department of the Trial Court, Commonwealth of Massachusetts, in and for the County of Middlesex. As grounds for the removal, Defendant states as follows:

1. This Action was commenced in the Superior Court of Middlesex County, Massachusetts, as **Civil Action No. MICV2004-01598-B** on or about April 16, 2004. The Complaint and summons were served upon Defendant on April 22, 2004.
2. This Action is a civil action brought by Plaintiff Jeanne Degan in which she seeks to recover money damages under the Family and Medical Leave Act, 29 U.S.C. §§ 1611 et seq. She alleges pendant state law claims as well.
3. The Action is one over which this Court has original jurisdiction under the provisions of 28 U.S.C. § 1331 and is one which may be removed to the District Court by

Defendant pursuant to the provisions of 28 U.S.C. §§ 1441(a), (b) and (c) in that it is a civil action containing claims or rights arising under the laws of the United States.

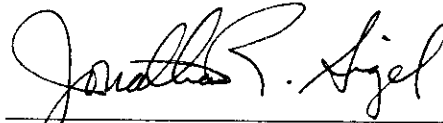
4. This Notice is filed within thirty (30) days after Defendant Goldwell of New England, Inc. received copies of the summons and complaint.

5. Copies of all process, pleadings and orders served by and upon Defendant in the State Court action are attached and filed herewith as Exhibit A.

WHEREFORE, Defendant gives Notice that this Action is removed from Middlesex Superior Court to this Court.

GOLDWELL OF NEW ENGLAND, INC.

By its attorneys,



Jonathan R. Sigel, BBO# 559850
Renee E. Hackett, BBO# 640841
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I hereby certify that a true copy of the
above document was served upon the
attorney of record for each party by
mail on 5-20-04

Renee Hackett

Dated: May 20, 2004